

ROGER CRISS, ESQ.
PATENT ATTORNEY
1462 VIA PORTOFINO
NAPLES, FLORIDA 34108

239-254-0971

RECEIVED
CENTRAL FAX CENTER

JAN 26 2004

January 15, 2004

VIA FAX 703-872-9306

Commissioner for Patents
P.O Box 1450
Alexandria, VA 22313-1450

Re: Amendment filed in Serial No. 09/973,644
Art Unit 1772 (Examiner M. Patterson)

Dear Sir:

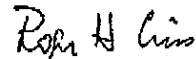
The attached Amendment dated December 10, 2003 was submitted to the USPTO by facsimile to 703-872-9306 (the main fax number of the Office) on December 10, 2003. Attached is a copy of the fax receipt acknowledgement. Also attached is a copy of the USPTO Auto-Reply Facsimile Transmission acknowledging receipt of the Amendment

The undersigned called Examiner Marc Patterson today (Art Unit 1772) and inquired about the status of the Amendment. Examiner Patterson said that he had not received the Amendment and could not locate receipt of the same in the Office records.

The undersigned certifies that the attached Amendment was in fact sent by facsimile to the above fax number on December 10, 2003, as is also stated in the certification appearing at the bottom of the Amendment Transmittal Letter. As indicated above, receipt was acknowledged by the USPTO.

The undersigned respectfully requests that the attached Amendment be docketed in the UPSTO system, with a date of December 10, 2003. Thank your for your assistance and please let me know should there be any questions.

Very truly yours,



Roger H. Criss

Attachment - as stated

cc: Examiner Marc Patterson via fax 571-273-1497

Auto-Reply Facsimile Transmission



TO:

Fax Sender at 973 543 4504

Fax Information

Date Received:

12/10/2003 7:28:29 AM [Eastern Standard Time]

Total Pages:

11 (including cover page)

ADVISORY: This is an automatically generated return receipt confirmation of the facsimile transmission received by the Office. Please check to make sure that the number of pages listed as received in Total Pages above matches what was intended to be sent. Applicants are advised to retain this receipt in the unlikely event that proof of this facsimile transmission is necessary. Applicants are also advised to use the certificate of facsimile transmission procedures set forth in 37 CFR 1.8(a) and (b), 37 CFR 1.6(f). Trademark Applicants, also see the Trademark Manual of Examining Procedure (TMEP) section 306 et seq.

Received
Cover
Page
=====>

DEC-10-2003 07:33		ROGER CRISS, ESQ.		973 543 4504 P.01/11	
AMENDMENT TRANSMITTAL LETTER				ATTORNEY'S CHECK NO.: 110002694	
SERIAL NUMBER: 09/973,644		FILING DATE: October 9, 2001		EXAMINER: M.A. Patterson	
INVENTOR: MULTILAYER LAMINATE FOR USE IN CHEMICAL BARRIER PACKAGING		GROUP ART UNIT: 1772			
INVENTOR: Patrick J. Colombo					
TO THE ASSISTANT COMMISSIONER FOR PATENTS: Transmitted herewith is an amendment to the above identified application. The fee has been calculated as shown below.					
CLAIMS AS AMENDED					
(1)	(2) CLASS REMARKS AFTER AMENDMENT	(3)	(4) HIGHEST NUMBER PREVIOUSLY PAID FOR	(5) NO. OF EXTRA CLAIMS REMARKS	(6) RANK
TOTAL CLAIMS	12	MIN CS	34	0	X 518
ENTER CLAIMS	2	MIN CS	3	0	X 500
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT					\$ 0.00
<p>9. If the entry in column 2 is not the entry in column 4, write "Y" in column 5. 10. If the "Highest Number Previously Paid For" in this space is less than 20, write "20" in this space. 11. If the "Highest Number Previously Paid For" in this space is less than 3, write "3" in this space.</p>					
<p><input checked="" type="checkbox"/> No additional fee is required.</p> <p><input type="checkbox"/> Charge \$ _____ to Deposit Account No. _____</p> <p><input checked="" type="checkbox"/> The undersigned petitions for any extension of time for filing this document required under 37 C.F.R. 1.136, kindly charge Deposit Account No. 01-1125 in the amount of \$110.00 for a one month extension fee.</p> <p><input checked="" type="checkbox"/> Charge any additional fees to Deposit Account No. 01-1125.</p>					
December 10, 2003 Date		Roper H. Criss Signature			
(235) 254-0951 Phone		25,370 Fax Number			
I hereby certify that this correspondence is being sent by facsimile to the number 973-543-4504 and addressed to Mail Stop A7, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on December 10, 2003.					
		Roper H. Criss Signature			
		Roger H. Criss Attorney-in-Fact			
		December 10, 2003 Date			
S10 Form 370					
*Patent and Trademark Office - U.S. DEPARTMENT OF COMMERCE					
PAGE 01/11 * RCVD AT 12/10/2003 7:28:29 AM [Eastern Standard Time] * SVR:USPTO-EFXXF-1/3 * DNIS:8729306 * CSID:973 543 4504 * DURATION (mm-ss):03:42					

*****-COMM. JOURNAL-***** DATE DEC-10-2003 ***** TIME 07:35 *****

MODE = MEMORY TRANSMISSION

START=DEC-10 07:33

END=DEC-10 07:35

FILE NO.=025

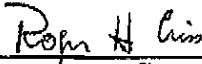
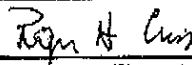
STN NO. COMM. ABER NO. STATION NAME/TEL NO. PAGES DURATION
001 OK * 17038729306 011/011 00:02:55

-ROGER CRISS, ESQ.

- *****

973 543 4504- *****

AMENDMENT TRANSMITTAL LETTER				ATTORNEY'S DOCKET NO: H0002694		
SERIAL NUMBER: 09/973,644		FILING DATE: October 9, 2001		EXAMINER: M.A. Patterson		GROUP ART UNIT: 1772
INVENTION: MULTILAYER LAMINATE FOR USE IN CHEMICAL BARRIER PACKAGING						
INVENTOR(s): Frank J. Colombo						
TO THE ASSISTANT COMMISSIONER FOR PATENTS: Transmitted herewith is an amendment in the above-identified application. The fee has been calculated as shown below.						
CLAIMS AS AMENDED						
(1)	(2) CLAIMS REMAINING AFTER AMENDMENT	(3)	(4) HIGHEST NUMBER PREVIOUSLY PAID FOR	(5) NO. OF EXTRA CLAIMS PRESENT	(6) RATE	(7) ADDITION AL FEE
TOTAL CLAIMS	12	MIN US	34	0	X \$18	0.00
INDEP. CLAIMS	2	MIN US	3	0	X \$86	0.00
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT						5 0.00
<p>* If the entry in column 2 is less than the entry in column 4, write "0" in column 5. ** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space. *** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 5, write "3" in this space.</p> <p><input checked="" type="checkbox"/> No additional fee is required.</p> <p><input type="checkbox"/> Charge \$ _____ to Deposit Account No. _____</p> <p><input checked="" type="checkbox"/> The undersigned petitions for any extension of time for filing this document required under 37 C.F.R. 1.136; kindly charge Deposit Account No. 01-1125 in the amount of \$710.00 for a one month extension fee.</p> <p><input checked="" type="checkbox"/> Charge any additional fees to Deposit Account No. 01-1125.</p> <p style="text-align: center;">December 10, 2003 Date</p> <p style="text-align: center;">_____ Signature</p> <p style="text-align: center;">Roger H. Criss Attorney Name</p> <p style="text-align: center;">(239) 254-0971 Phone</p> <p style="text-align: center;">25,570 Reg. Number</p>						
<p>I hereby certify that this correspondence is being sent by facsimile to fax number 703-872-9306 and addressed to Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on December 10, 2003.</p> <p style="text-align: center;">_____ Signature</p> <p style="text-align: center;">Roger H. Criss Attorney of Record</p> <p style="text-align: center;">December 10, 2003 (Date)</p>						

AMENDMENT TRANSMITTAL LETTER				ATTORNEY'S DOCKET NO.:		
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SERIAL NUMBER:		FILING DATE:		EXAMINER:		GROUP ART UNIT:
09/973,644		October 9, 2001		M.A. Patterson		1772
INVENTION:						
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INVENTOR(s): Frank J. Colombo						
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TOTAL CLAIMS	12	MIN US	34	0	X \$18	0.00
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TOTAL ADDITIONAL FEE FOR THIS AMENDMENT						\$ 0.00
<p>• If the entry in column 2 is less than the entry in column 4, write "0" in column 5.</p> <p>** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.</p> <p>*** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space.</p>						
<div style="display: flex; justify-content: space-between;"> <div style="width: 25%;"> <input checked="" type="checkbox"/> No additional fee is required. </div> <div style="width: 75%;"> <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <input type="text"/> Charge \$ </div> <div style="width: 55%;"> to Deposit Account No. </div> </div> </div> </div>						
<div style="display: flex; justify-content: space-between;"> <div style="width: 25%;"> <input checked="" type="checkbox"/> </div> <div style="width: 75%;"> The undersigned petitions for any extension of time for filing this document required under 37 C.F.R. 1.136; kindly charge Deposit Account No. 01-1125 in the amount of \$110.00 for a one month extension fee. </div> </div>						
<div style="display: flex; justify-content: space-between;"> <div style="width: 25%;"> <input checked="" type="checkbox"/> </div> <div style="width: 75%;"> Charge any additional fees to Deposit Account No. 01-1125. </div> </div>						
December 10, 2003 Date			 Signature			
(239) 254-0971 Phone			Roger H. Criss Attorney Name			
			25,570 Reg. Number			
I hereby certify that this correspondence is being sent by facsimile to fax number 703-872-9306 and addressed to Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on December 10, 2003.						
			 (Signature)			
			Roger H. Criss Attorney of Record			
			December 10, 2003 (Date)			

JAN 20 2004

OFFICIAL

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: FRANK J. COLOMBO

Group Art Unit: 1772

Serial No: 09/973,644

Examiner: M. A. Patterson

Filed: October 9, 2001

File No. H0002694 (4760)

For: MULTILAYER LAMINATE FOR USE IN CHEMICAL BARRIER PACKAGING

December 10, 2003

VIA FAX 703-872-9306

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

AMENDMENT AFTER FINAL REJECTION UNDER 37 CFR §1.116

In response to the Final Rejection dated August 26, 2003, please amend the above-identified application as follows:

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 5 of this paper.